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PATENT  
Docket No. 019680-004600US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On August 11, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Sherboni Barnes Adams

**RECEIVED**

**AUG 14 2003**

**OFFICE OF PETITIONS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Larry I. Gritz, Craig Eugene Kolb,  
Matthew Milton Pharr and  
Eric Veach

Application No.: 09/865,990

Filed: May 25, 2001

For: SYSTEM AND METHOD OF LINE  
SAMPLING OBJECT SCENE  
INFORMATION

Examiner:

Art Unit:

NOTIFICATION OF ERROR IN SMALL  
ENTITY STATUS AND PAYMENT OF  
DEFICIENCY OWED UNDER 37 CFR  
§1.28(c)

August 11, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application filed on May 25, 2001 originally claimed small entity status in good faith. However, it has recently been discovered that such status as a small entity was established in error due to inadvertence and without deceptive intent. The following submission and itemization hereby meet the requirements of 37 C.F.R. Sections 1.28(c)(1) and (c)(2) and MPEP Section 509.03(X). Therefore, Applicants respectfully request the total deficiency payment be processed as set out below and that

the error be excused.

08/14/2003 SLUANG1 00000001 161150 09865990

01 FC:1001 750.00 DA  
02 FC:1051 130.00 DA  
03 FC:1201 168.00 DA

04 FC:

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Milton Pharr and Eric Veach  
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PATENT

ITEMIZATION AND CALCULATION OF THE DEFICIENCY OWED

DATE FILED	TYPE OF FEE	SMALL FEE ACTUALLY PAID	(CURRENT) LARGE FEE APPLIED	DEFICIENCY PAYMENT OWED
5/25/01	Basic filing fee- Utility	\$355.00	\$750.00	\$395.00
5/25/01	60 extra claims in excess of 20	\$540.00	\$1,080.00	\$540.00
5/25/01	2 extra independent claims in excess of 3	\$80.00	\$168.00	\$88.00
8/9/01	Surcharge – Late filing fee or oath or declaration	\$65.00	\$130.00	\$65.00


**TOTAL DEFICIENCY OWED: \$1,088.00**

Applicants hereby authorize the Commissioner to deduct the total fees of \$1,088.00 from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Applicants understand that under 37 CFR §1.27(g)(2) and §1.28(d) this submission is treated as a notification of loss of small entity status.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415.576.0200.

Respectfully submitted,

  
Babak S. Sani  
Reg. No. 37,495

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
BSS:sba  
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